

property. I am sure there are some loans made on simple character, but the majority of the loans, the majority of the loans that agriculture uses are loaned on property. Further down in the amendment it says, the creditor may require the signature of the applicant spouse on any instrument necessary. I happen to bank thirty-five miles from where I live. I happen to have to go there and borrow money rather frequently. All the money I borrow is borrowed on property, and it would be very unhandy for me to have to have my wife go with me every time I went to get a loan. Of course, I would like to point out to Senator Marsh that it works the other way around too. My wife sometimes goes and signs the notes. It seems to me that these are notes that are entered into with your eyes wide open, you are agreeing to pay it back. I think LB 306 as written is a good instrument. I think it is actually protecting my wife. Senator Schmit pointed out some instances where it could be misused. I know of a few instances where it has been misused the other way also, where an individual has borrowed the money, has signed his signature on the property, or on the note on the property, and then later on put all the property in his wife's name in a blatant effort to get out of paying the note, and in the instance that I am aware of it worked. Obviously, the other people that were borrowing money from that institution had to wind up paying the difference. Banks don't lose money, people do. I would urge the body to oppose this amendment.

PRESIDENT: The Chair recognizes Senator Johnson.

SENATOR JOHNSON: Mr. President and members of the body, I just want to make a couple of very short remarks in response to a comment that my colleague and good friend, Senator Beutler, made concerning how lawyers can create great side-shows, and indicating that the Marsh amendment was another in a series of great sideshows that this body has seen over the years and will continue to see. In fact, the Marsh amendment is really in response to the sideshow that was created by Senator Beutler and Landis on the regulation (b) issue. As you may recall, one of the arguments that was made against LB 306 the other day was how unnecessary the bill itself was. The argument simply was that any credit grantor extending a loan could protect its rights in jointly held property by asking the joint tenant to participate in the loan documents. The bank was in a position to protect itself. That was the argument that was made. Now what happened is Senators Beutler and Landis roared back with their own diversion, and the diversion simply was that the regulation (b) promulgated by the Federal Reserve Board that